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10 North Las Vegas Police Department,
11 Chief Joseph Chronister and
12 Officer Raymond Lopez

**UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA, SOUTHERN DIVISION**

11 DAVID L. ROBINSON, JR, an individual;
12 DENNIA ROBINSON, individually and as
13 executor/administrator of THE ESTATE OF
DAVID L. ROBINSON

14 | Plaintiffs,

15 | VS.

16 NORTH LAS VEGAS POLICE
17 DEPARTMENT, a political subdivision of the
18 State of Nevada; CHIEF CHRONISTER,
19 individually and as policy maker of the North
Las Vegas Police Department; OFFICER
RAYMOND LOPEZ, individually; and DOE
OFFICERS 1 through 10, inclusive,

20 Defendants.

CASE NO. 2:14-CV-1912-JCM-VCF

**STIPULATION AND ORDER TO STAY
DISCOVERY PENDING THE OUTCOME
OF MEDIATION**

22 Plaintiffs DAVID L. ROBINSON, individually, and DENNIA ROBINSON, individually
23 and as executor/administrator of THE ESTATE OF DAVID L. ROBINSON (“Plaintiffs”) and
24 Defendants NORTH LAS VEGAS POLICE DEPARTMENT, CHIEF CHRONISTER, and
25 OFFICER RAYMOND LOPEZ (“Defendants”), by and through their respective attorneys of
26 record, hereby agree as follows:

27 On October 24, 2014, Plaintiffs brought suit against Defendants in the Nevada District
28 Court for Clark County Nevada for alleged violations of 42 U.S.C. § 1983, Case No. A-14-

1 708972-C. In the Complaint, Plaintiffs allege that the decedent, David L. Robinson, was killed by
 2 Defendant Officer Raymond Lopez on March 10, 2014, in Clark County, Nevada. Defendants
 3 thereafter removed the matter to Federal Court. The parties have conducted preliminary
 4 discovery, including the exchange of documents pursuant to FRCP 26 and the issuance of and
 5 response to written discovery. Prior to expending potentially unnecessary resources in continued
 6 discovery, the parties wish to bring the matter before a mediator to see if the parties can come to a
 7 mutually agreeable settlement.

8 A district court has “wide discretion in controlling discovery,” and its decision will not be
 9 overturned absent a clear abuse of discretion. *Little v. City of Seattle*, 863 F.2d 681, 685 (9th Cir.
 10 1988). A stay of discovery “furthers the goal of efficiency for the court and litigants.” *Id.* at 685.
 11 A brief stay to allow the parties to privately mediate the matter will preserve the status quo and
 12 minimize the expense of the parties’ resources and those of the Court until such mediation can be
 13 concluded. *Mediterranean Enterprises, Inc. v. Ssangyong Corp.*, 708 F.2d 1458, 1465 (9th Cir.
 14 1983). Additionally, it will prevent the risk of the court needlessly expending its energies to
 15 further manage the case when the case may well settle as a result of the parties’ own accord at the
 16 upcoming mediation. *Sommers v. Cuddy*, 2013 U.S. Dist. LEXIS 12430 (D.Nev. 2013).

17 As such, the parties stipulate as follows:

18 1. That the Federal Court action be stayed for ninety (90) days or until the parties
 19 have completed private mediation.

20 2. The stay shall include all current deadlines, including discovery deadlines. Any
 21 outstanding discovery deadlines shall be stayed as indicated above.

22 3. Within 30 days after completion of mediation or the expiration of the 90 day stay,
 23 the parties will (1) submit a Stipulation and Order reflecting resolution of some or all of the claims
 24 and/or (2) reconvene pursuant to LR 26-1 to prepare and submit an updated Discovery Plan and
 25 Scheduling Order.

26 4. If the parties have not completed mediation prior to the expiration of the ninety day
 27 stay but still wish to complete mediation under a stay of discovery, the parties shall submit a Joint
 28 Status Report and/or Stipulation to the Court, advising the Court why mediation was not

1 completed and seeking approval of an appropriate extension of the stay. It will be within the
2 Court's sole discretion to rule on any Stipulation for continued stay.

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4 DATED this 13th day of May, 2016.

5 LEWIS BRISBOIS BISGAARD & SMITH

6 */s/ Gregory S. Bean*

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DATED this 13th day of May, 2016.

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15 **ORDER**

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IT IS SO ORDERED.

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Dated this 16th day of May, 2016.

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U.S. MAGISTRATE JUDGE

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